

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>		<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	
<p>International application No. PCT/IB2004/003476</p>	<p>International filing date (day/month/year) 22.10.2004</p>	<p>Priority date (day/month/year) 24.10.2003</p>	
<p>International Patent Classification (IPC) or both national classification and IPC B67D1/04, F16L37/127</p>			
<p>Applicant INBEV S.A.</p>			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N) Yes: Claims 1-9
 No: Claims

Inventive step (IS) Yes: Claims 1-9
 No: Claims

Industrial applicability (IA) Yes: Claims 1-9
 No: Claims

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
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Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

A document reflecting the prior art described on page 1, §1, is not identified in the description (Rule 5.1(a)(ii) PCT).

Re Item V

Closest prior art: document US-A-4 850 387 discloses a beverage dispensing appliance with a beverage container, a tap adapter having a coupling consisting of a first and second mutually engaging connectors for charging the container with gas from a pressurised gas source, from which the subject-matter of claim 1 differs in that the tap adapter does neither comprise a gas connecting locating member, nor a locking member moveable in a guideway engaging the gas connecting locating member and locking it.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

Problem: how to provide a beverage dispensing appliance wherein the container is easily connectable to the gas source while being housed into the appliance.

Solution: the coupling comprises a guideway and a locking member such that the actuation of the locking member slides the first connector, which is linked to the container, through a guideway into a locked sealing relation with the mating second connector, which is linked to the gas source.

Inventive step: the solution is neither disclosed nor suggested by any of the available documents. US-A-2 191 579 discloses a connector which can be slid through a guideway against a mating second connector. The two connectors are then locked together by means of a locking member.

However, the locking member does not perform the step of guiding the connector through the guideway and is therefore not suitable for solving the aforementioned

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technical problem. A combination of US-A-4 850 387 and US-A-2 191 579 would give a device which differs from the subject-matter of claim 1 in a substantial, non-obvious way.

The solution to this problem proposed in claim 1 of the present application is therefore considered as involving an inventive step (Article 33(3) PCT).

Claims 2-9 depend on claim 1 and therefore also benefit from its novelty and inventive step.

Industrial applicability: the subject matter of claims 1-9 is applicable in the industry of beverage dispensers.